

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 94-727-S - ORDER NO. 95-1388
AUGUST 2, 1995

IN RE: Application of Development Service,)	ORDER GRANTING
Inc. for an Increase in Rates and)	WAIVER AND
Charges for Sewer Service.)	ORDERING
)	ACCEPTANCE OF
)	APPLICATION

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Development Service, Inc. (DSI or the Company) for a temporary waiver of the requirement stated in 26 S.C. Code Ann. Regs.103-512.4.13 that any Application for a change in rates contain the most recent letter of approval from the Department of Health and Environmental Control (DHEC) of the system. DSI requests that, since it does not have the required letter, that the Commission waive the requirement that the DHEC letter be filed simultaneously with the Application. DSI states that it expects to file letters of approval from DHEC either prior to or at the time of the hearing scheduled in regard to this Application.

26 S.C. Code Ann. Regs.103-501(3) states that the Commission may waive a Regulation in any case where compliance with any of the rules and regulations introduces unusual difficulty and where such waiver is in the public interest. We find and hold that the present situation meets these criteria on behalf of DSI in that

the DHEC letter had not been obtained at the same time the Application was submitted. The Commission believes, and so finds, that it is in the public interest to temporarily waive the regulation. DSI is cautioned, however, that it must file the DHEC letter with the Commission as soon as said letter is received.

Based on the finding that the waiver of the regulation is in the public interest, the Commission orders that the Application be accepted.


IT IS THEREFORE ORDERED THAT:

1. The requirement of 26 S.C. Code Ann. Regs.103-512.4.13 that the DHEC letter be included with the Application is hereby temporarily waived until said letter is received by DSI. As soon as the DHEC letter is received by DSI, the Commission orders DSI to file the DHEC letter with the Commission.

2. The Application of DSI filed on July 24, 1995, shall be accepted.

3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)